

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION at AKRON**

IN RE FIRSTENERGY SOLUTIONS CORP., ET AL., Debtors	Case No. 18-50757-AMK Chapter 11 Honorable Alan M. Koschik, United States Bankruptcy Judge
FIRSTENERGY SOLUTIONS CORP., Plaintiff, V. BLUESTONE ENERGY SALES CORP., Defendant.	 Adversary Proceeding 18-5100

DEFENDANT’S MOTION TO AMEND DISCOVERY SCHEDULING ORDER

Defendant Bluestone Energy Sales Corp. (“Bluestone”), through counsel, respectfully moves the Court to amend the Discovery Scheduling Order entered on September 4, 2019 [Doc. 30]. In support of this Motion, Bluestone states as follows:

Since entry of the Discovery Scheduling Order, the Plaintiff FirstEnergy Solutions Corp. (“FirstEnergy” or “FES” or “Plaintiff”) and the Defendant have each responded to written discovery requests from opposing counsel, have begun a series of rolling document productions, and have exchanged lists of individuals to be deposed. The Defendant, however, does not believe the parties will be able to both complete all fact discovery by the current deadline of November 15, 2019. Rather, the Defendant proposes that the parties have until December 6,

2019, to complete document production and other responses to written discovery, and until December 20, 2019, to complete fact depositions.

Counsel for the Defendant has discussed this proposal with counsel for the Plaintiff and is informed that the Plaintiff does not oppose this request. In further support of this Motion, the undersigned states that the offices of Defendant's counsel have been moved during the month of October and, despite best efforts, the office relocation consumed much of the attention of Defendant's counsel for the past month, in particular the attention of Messrs. Getty and Ezzell. Furthermore, Mr. Getty has suffered an injury to surgical appliances in his back that has required multiple appointments with health care providers in the past month and for which surgery is recommended very soon.

The Defendant does not believe it is necessary to reschedule the status conference scheduled for November 19, 2019.

NOTICE

PLEASE TAKE NOTICE that any objection to the relief sought in the foregoing Defendant's Motion To Amend Discovery Scheduling Order must be filed within 14 days, unless otherwise Ordered by the Court, from the date of service as set forth below in the Certificate of Service, and that the Court is authorized to grant the relief requested without further notice unless a timely objection is filed.

Respectfully submitted

/s/ Richard A. Getty

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and

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COUNSEL FOR DEFENDANT

BLUESTONE ENERGY SALES CORP.

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Defendant's Motion Amend Discovery Scheduling Order was served on this the 1st day of November, 2019, electronically in accordance with the method established under this Court's CM/ECF Administrative Procedures and applicable Standing Order(s), if any, upon the following:

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